

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

vs

MARIO ALBERTO MONTOYA-GARCIA

Defendant

CRIMINAL 12-0791CCC

ORDER

Having considered the Report and Recommendation filed on November 16, 2012 (**docket entry 7**) on a Rule 11 proceeding of defendant Mario Alberto Montoya-García held before U.S. Magistrate Judge Bruce J. McGiverin on November 8, 2012, to which no objection has been filed, the same is APPROVED. Accordingly, the plea of guilty of defendant is accepted. The Court FINDS that his plea was voluntary and intelligently entered with awareness of his rights and the consequences of pleading guilty and contains all elements of the offense charged in the indictment.

This case was referred to the U.S. Probation Office for preparation of a Presentence Investigation Report since November 8, 2012. The **sentencing hearing is set for February 20, 2013 at 4:15 PM.**

SO ORDERED.

At San Juan, Puerto Rico, on December 7, 2012.

S/CARMEN CONSUELO CEREZO
United States District Judge